UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,503	12/20/1999	GREGORY MAURICE PLOW	ST999007/128	2479

7590 02/10/2004	EXAMINER
	NGUYEN, NHON D

JOSEPH A SAWYER JR
SAWYER & ASSOCIATES
P O BOX 51418
PALO ALTO, CA   94303

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	**Application No.** 09/467,503	**Applicant(s)** PLOW ET AL.
	Examiner Nhon (Gary) D Nguyen	**Art Unit** 2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*26 November 2003*</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,11-19,21-29 and 31-41* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9, 11-19, 21-29, and 31-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to Amendment C, filed 11/26/2003.

2. Claims 1-9, 11-19, 21-29, and 31-41 are pending in this application. Claims 1, 11, 21, and

33-41 are independent claims. In the Amendment A, claims 31 and 32 are canceled, claims 1, 3,

5-7, 11, 16, 21, 23, 25-27, and 33-41 are amended. This action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 11-19, 21-29, and 31, 32, and 35-41 are rejected under 35 U.S.C. 102(e) as

being anticipated by Jaaskelainen, Jr. (US #6,002,397).

As per independent claim 1, Jaaskelainen, Jr. teaches a method for displaying hidden

information on a display screen, the display screen displaying a plurality of application windows,

a first window of the plurality of application windows obscuring the hidden information within a

second window of the plurality of application windows (fig. 2A; from col. 4, lines 64-67 through

col. 5, lines 1-12), the method comprising:

creating a viewport as a topmost window in response to a first user interaction, wherein

the viewport is moveable to any point on the display screen independent from the plurality of

application windows (*window hatch 110*; fig. 2B; col. 5, lines 12-27 and lines 35-41);

associating the second application window with the viewport in response to a second user

interaction; displaying the hidden information in the viewport whenever the viewport is

positioned over the hidden information (fig. 2B; col. 5, lines 26-35);

As per claim 2, which is dependent on claim 1, Jaaskelainen, Jr. teaches a third application

window obscures the hidden information within the second window (fig. 2A; from col. 4, lines

64-67 through col. 5, lines 1-12).

As per claim 3, which is dependent on claim 1, Jaaskelainen, Jr. teaches displaying the

hidden information in the viewport includes displaying a portion of the hidden information (fig.

2B; col. 5, lines 26-35).

As per claim 4, which is dependent on claim 1, Jaaskelainen, Jr. teaches creating a

viewport as a topmost window in response to a first user interaction includes providing an

application viewport tool (col. 5, lines 50-55 and col. 6, lines 6-13).

As per claim 5, which is dependent on claim 1, Jaaskelainen, Jr. teaches the method of

claim 1 further comprising:

relocating the viewport wherein a first portion of the display occupied by the viewport and

displaying the hidden information is restored to a normal display of the first application window

upon moving the viewport to a second portion of the display that is not contiguous with the first

portion (col. 5, lines 51-55); it is inherent in Jaaskelainen's system that when the window hatch

is repositioned to the second portion of the display that is not contiguous with the first portion,

the display (in the first portion) occupied by the window hatch and displaying the hidden

information is restored to a normal display of the first application window.

As per claim 6, which is dependent on claim 1, Jaaskelainen, Jr. teaches the method of

claim 1 further comprising:

capturing the hidden information displayed within the viewport wherein the hidden

information displayed within the viewport becomes invariant in response to a user interaction

(col. 12, lines 35-41).

As per claim 7, which is dependent on claim 6, Jaaskelainen, Jr. teaches the method of

claim 6 further comprising:

relocating the viewport from a first portion of the display to a second portion of the

display; continuing to display the invariant hidden information within the viewport (col. 12, lines

35-41).

As per claim 8, which is dependent on claim 1, Jaaskelainen, Jr. teaches the viewport can

be resized (col. 10, lines 26-33).

As per claim 9, which is dependent on claim 1, Jaaskelainen, Jr. teaches the viewport includes a plurality of viewports (fig. 2E; col. 6, lines 22-27).

As per independent claim 11, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per claim 12, which is dependent on claim 11, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claim 13, which is dependent on claim 11, it is a similar scope to claim 3; therefore, it should be rejected under similar rationale.

As per claim 14, which is dependent on claim 11, it is a similar scope to claim 4; therefore, it should be rejected under similar rationale.

As per claim 15, which is dependent on claim 11, it is a similar scope to claim 5; therefore, it should be rejected under similar rationale.

As per claim 16, which is dependent on claim 11, it is a similar scope to claim 6; therefore, it should be rejected under similar rationale.

As per claim 17, which is dependent on claim 16, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

As per claim 18, which is dependent on claim 11, it is a similar scope to claim 8; therefore, it should be rejected under similar rationale.

As per claim 19, which is dependent on claim 11, it is a similar scope to claim 9; therefore, it should be rejected under similar rationale.

As per independent claim 21, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per claim 22, which is dependent on claim 21, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claim 23, which is dependent on claim 21, it is a similar scope to claim 3; therefore, it should be rejected under similar rationale.

As per claim 24, which is dependent on claim 21, it is a similar scope to claim 4; therefore, it should be rejected under similar rationale.

As per claim 25, which is dependent on claim 21, it is a similar scope to claim 5;

therefore, it should be rejected under similar rationale.

As per claim 26, which is dependent on claim 21, it is a similar scope to claim 6;

therefore, it should be rejected under similar rationale.

As per claim 27, which is dependent on claim 26, it is a similar scope to claim 7;

therefore, it should be rejected under similar rationale.

As per claim 28, which is dependent on claim 21, it is a similar scope to claim 8;

therefore, it should be rejected under similar rationale.

As per claim 29, which is dependent on claim 21, it is a similar scope to claim 9;

therefore, it should be rejected under similar rationale.

As per independent claim 35, it is a similar scope to claim 1; therefore, it should be

rejected under similar rationale.

As per independent claim 36, Jaaskelainen, Jr. teaches a method for displaying hidden

information on a display screen, the display screen displaying a plurality of application windows,

a first window of the plurality of application windows obscuring the hidden information within a

second window of the plurality of application windows (fig. 2A; from col. 4, lines 64-67 through

col. 5, lines 1-12), the method comprising:

creating a viewport as a topmost window in response to a first user interaction (*window*

hatch 110; fig. 2B; col. 5, lines 12-27 and lines 35-41);

associating the second application window with the viewport in response to a second user

interaction; and displaying the hidden information in the viewport whenever the viewport is

positioned over the hidden information wherein movement of the view port can be used to scroll

information within the second window without making the second window active (fig. 2B; col.

5, lines 26-35). It is further notice that a user can move the window hatch 110 (fig. 2B) to

different position to reveal different hidden information of an underneath window by defining

new hatch areas (col. 5, lines 25-35 and lines 50-55). Therefore, movement of the window hatch

110 would scroll hidden information within an underneath window (e.g. 104) without making the

underneath window active.

As per independent claims 37-40, these claims are rejected under the same rationale as

claim 36.

As per independent claim 41, Jaaskelainen, Jr. teaches a computer readable medium

containing program instructions for displaying hidden information on a display screen, the

display screen displaying a plurality of application windows, a first window of the plurality of

application windows obscuring the hidden information within both a second window and a third

window of the plurality of application windows, the program instructions which when executed

by a computer system cause the computer system to execute a method (fig. 2A; from col. 4, lines

64-67 through col. 5, lines 1-12), comprising:

creating a viewport as a topmost window in response to a first user interaction, wherein

the viewport is moveable to any point on the display screen independent from the plurality of

application windows (*window hatch 110*; fig. 2B; col. 5, lines 12-27 and lines 35-41);

associating either one of the second application window and the third application window

with the viewport in response to a second user interaction; and displaying the hidden information

of the associated window in the viewport whenever the viewport is positioned over the hidden

information (fig. 2B, col. 5, lines 26-35; fig. 2C, col. 5, line 56 – col. 6, line 3; col. 6, lines 6-13).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Jaaskelainen, Jr. (US #6,002,397) in view of Diedrichsen et al ("Diedrichsen", US #5,920,313).

As per independent claim 33, Jaaskelainen, Jr. teaches a method for displaying hidden

information on a display screen, the display screen displaying a plurality of application windows,

a first window of the plurality of application windows obscuring the hidden information within a

second window of the plurality of application windows (fig. 2A; from col. 4, lines 64-67 through

col. 5, lines 1-12), the method comprising:

creating a viewport as a topmost window in response to a first user interaction wherein the

viewport includes a minimize all button, wherein the viewport is moveable to any point on the

display screen independent from the plurality of application windows (*window hatch 110*; fig.

2B; col. 5, lines 12-27 and lines 35-41);

Jaaskelainen, Jr. does not disclose the viewport includes a minimize all button. According to

Diedrichsen, the OS/2 Workplace developed by International Business Machines Corporation

features the use of collections of related windows (work area) whose behavior is coordinated. If

the user minimizes a work area all windows opened from an object in that work area are

removed from the desktop; if a user restores a work area, all windows that were open when the

work area was closed are restored to their previous positions (col. 2, lines 11-18). It would have

been obvious to an artisan at the time of the invention to use the teaching from Diedrichsen of

the viewport includes a minimize all button in Jaaskelainen, Jr.'s method since it would be a

faster process of minimizing all windows.

associating the second application window with the viewport in response to a second user

interaction; displaying the hidden information in the viewport whenever the viewport is

positioned over the hidden information (fig. 2B; col. 5, lines 26-35); and

capturing the hidden information displayed within the viewport wherein the hidden

information displayed within the viewport becomes invariant in response to a user interaction

(the hidden information in window hatch 110 of fig. 2B would not be changed in response to a

click on it from a user).

As per independent claim 34, it is a similar scope to claim 33; therefore, it should be rejected

under similar rationale.

Response to Arguments

7.   Applicant's arguments filed 11/26/2003 have been fully considered but they are not

persuasive.

Applicants argued the following:

(a) Jaaskelainen does not teach or suggest the view port is moveable to any point on the

display screen independent from the plurality of application windows.

(b) Jaaskkelainen does not teach or suggest the movement of the viewport can be used to

scroll information within the second window without making the second window active.

The Examiner disagrees for the following reasons:

(a) The window hatch 110 (fig. 2) in Jaaskelainen's system can be moved without causing

any effect to the other underneath windows; therefore, it is clearly that window hatch's

movement is independent from the plurality of underneath windows.

The Examiner, however, takes further notice that by keeping the deleted limitation (d) of

claim 1 (capturing at least a portion of the hidden information displayed in the viewport as static

information in the viewport), then limitation (d) in combination with the newly amended

limitation (a) would make the invention allowable over the applied prior art.

(b) A user can move the window hatch 110 (fig. 2B) to different positions to reveal

different hidden information of an underneath window by defining new hatch areas (col. 5, lines

25-35 and lines 50-55). Therefore, it is clearly that movement of the window hatch 110 would

scroll hidden information within an underneath window (e.g. 104) without making the

underneath window active.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Inquiries

9. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-

8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
February 6, 2004

SY D. LUU
PRIMARY EXAMINER